IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

-

WRIT PETITION NO : 3142 of 1995

Between:

Shah Mohd. Quadri, S/o.M.M.Quadri,

8-2-603/B/34/23/A, Singada Basti,

Road No.10, Banjara Hills-34. **..... PETITIONER**

AND

1.Collector, Hyderabad District, Hyderabad.

2.Revenue Divisional Officer, Hyderabad.

3.Mandal Revenue Officer,

Golconda Mandal, Hyderabad District. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate order or direction in a nature of a writ declaring the action of the respondents in seeking to demolish petitioner's house bearing No.8-2-603/B/34/23/A, Singadabasti, Road No.10, Banjara Hills, Hyderabad and consequently evicting of the petitioner as illegal and arbitrary and consequently direct the respondents herein not to disturb the possession of the petitioner.

Counsel for the Petitioner: MR.S.BHARAT KUMAR

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION NO.3142 OF 1995

ORDER:

The grievance of the petitioner is that he is in possession of a piece of land, on which he has constructed a pucca house and the respondents are trying to evict him and demolish the house.

In the counter-affidavit it has been stated that the petitioner has encroached part of the Government land to an extent of 327 square yards and constructed a pucca house illegally. The Government has denied that the petitioner has purchased the land from its original owner. Respondents have also denied that they are trying to evict the petitioner or demolish his house without any notice.

Since there appears to be a bonafide dispute with regard to the property in question, therefore, the writ petition is disposed of with a direction that if the respondents want to evict the petitioner, they shall do so, only after taking recourse to law. No costs.

(Bilal Nazki, J)

9th September, 2004

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Copy to:

1.The Collector, Hyderabad District, Hyderabad.

2.The Revenue Divisional Officer, Hyderabad.

3.The Mandal Revenue Officer,

Golconda Mandal, Hyderabad District.

4.Two CCs to the G.P. for Revenue,

High Court Buildings, High Court of A.P.,

Hyderabad. (O.U.T.)

5.Two CD copies.